

Objection Deadline: February 15, 2024

BURNS BAIR LLP

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*Special Insurance Counsel to the Official Committee
of Unsecured Creditors of The Roman Catholic Diocese
of Rockville Centre, New York*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE ROMAN CATHOLIC DIOCESE OF
ROCKVILLE CENTRE, NEW YORK,
Debtor.

Chapter 11

Case No. 20-12345 (MG)

**THIRTY-EIGHTH MONTHLY FEE STATEMENT OF BURNS BAIR LLP,
AS SPECIAL INSURANCE COUNSEL TO THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR PROFESSIONAL SERVICES RENDERED
AND DISBURSEMENTS INCURRED FOR THE PERIOD FROM
DECEMBER 1, 2023 THROUGH DECEMBER 31, 2023**

Name of Applicant:	<u>Burns Bair LLP</u>
Authorized to Provide Professional Services to:	<u>Official Committee of Unsecured Creditors</u>
Date of Retention:	Effective October 29, 2020 pursuant to Order dated December 9, 2020 [Docket No. 246]
Period for which compensation and reimbursement is sought:	<u>December 1, 2023 – December 31, 2023</u>
Amount of Compensation sought as actual, reasonable, and necessary:	<u>\$36,425.00</u> <u>50% of which is \$18,212.50</u>
Amount of Expense Reimbursement sought as actual, reasonable, and necessary:	<u>\$1,997.41</u>
TOTAL (80% of fees and 100% of costs)	<u>\$20,209.91</u>

This is the thirty-eighth monthly fee statement.

PRELIMINARY STATEMENT

Burns Bair LLP (“Burns Bair”), as Special Insurance Counsel to the Official Committee of Unsecured Creditors (the “Committee”) of The Roman Catholic Diocese of Rockville Centre, New York (the “Debtor”), hereby submits this thirty-eighth monthly statement (the “Monthly Statement”) for the period from December 1, 2023 through December 31, 2023 (the “Statement Period”) for payment of professional services rendered and reimbursement of expenses incurred during the Statement Period pursuant to the Court’s *Order Authorizing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* dated November 4, 2020 [Docket No. 129] (the “Interim Compensation Order”). Burns Bair requests interim allowance and payment of compensation in the amount of \$18,212.50 (50% of \$36,425.00) for fees on account of reasonable and necessary professional services rendered to the Committee by Burns Bair; and (b) reimbursement of actual and necessary costs and expenses in the amount of \$1,997.41.

FEES FOR SERVICES RENDERED DURING THE STATEMENT PERIOD

1. Set forth below is a list of the positions of the Burns Bair professionals and paraprofessionals who provided services to the Committee during the Statement Period, their respective billing rates, and the aggregate hours spent by each professional and paraprofessional in providing services on behalf of the Committee during the Statement Period.

Name	Title	Year of Partnership	Year of Admission	Hourly Rate	Total Hours Billed	Total Compensation
Timothy Burns	Partner	2008	1991	\$975.00	16.30	\$15,892.50
Jesse Bair	Partner	2020	2013	\$625.00	31.70	\$19,812.50
Brian Cawley	Associate	N/A	2020	\$420.00	.60	\$252.00
Brenda Horn-Edwards	Paralegal	N/A	N/A	\$360.00	.60	\$216.00
Karen Dempski	Paralegal	N/A	N/A	\$360.00	.20	\$72.00
Alyssa Turgeon	Paralegal	N/A	N/A	\$360.00	.50	\$180.00
TOTAL:					49.90	\$36,425.00

2. The rates charged by Burns Bair for services rendered to the Committee are the same rates that it charges generally for professional services rendered to its non-bankruptcy clients. A complete itemization of tasks performed by these professionals and paraprofessionals for the Statement Period is annexed hereto as **Exhibit A**.

EXPENSES INCURRED DURING THE STATEMENT PERIOD

3. Set forth below is a categorical list of expenses incurred by Burns Bair during the Statement Period in the course of representing the Committee.

Date	Description	Amount
12/18/23	Hotel, J. Bair (1 night)	\$500.94
12/18/23	Taxi, J. Bair	\$106.84
12/18/23	Travel Meal, J. Bair	\$23.81
12/18/23	Delta Airlines, J. Bair	\$1,127.80
12/19/23	Travel meal, J. Bair	\$20.63
12/19/23	Travel meal, J. Bair	\$14.51
12/19/23	Airport parking, J. Bair	\$20.00
12/19/23	Delta Airlines, Wi-Fi Onboard, J. Bair	\$15.95
12/19/23	Uber, J. Bair	\$166.93
	TOTAL:	\$1,997.41

NOTICE AND OBJECTION PROCEDURES

4. No trustee or examiner has been appointed in these chapter 11 cases. Pursuant to the Interim Compensation Order, Burns Bair has provided notice of this statement upon the following parties by electronic or first class mail: (a) the Debtor c/o The Roman Catholic Diocese of Rockville Centre, 50 N Park Ave P.O. Box 9023, Rockville Centre, NY 11571-9023 (Attn: Thomas Renker); (b) the attorneys for the Debtor, Jones Day, 250 Vesey Street, New York, NY 10281 (Attn: Corinne Ball, Esq., Benjamin Rosenblum, Esq. and Andrew M. Butler, Esq.); and (c) the Office of the United States Trustee Region 2 (the "U.S. Trustee"), 201 Varick Street, Suite 1006, New York, NY 10014 (Attn: Greg Zipes, Esq. and Shara Cornell, Esq.). Burns Bair submits that no other or further notice need be provided.

5. Pursuant to the Interim Compensation Order, objections to this Monthly Statement, if any, must be served upon the Application Recipients by February 15, 2024 (the “Objection Deadline”) setting forth the nature of the objection and the amount of fees or expenses at issue.

6. If no objections to this Monthly Statement are made on or before the Objection Deadline, the Debtor shall pay Burns Bair 50% of the fees and 100% of the expenses set forth above. To the extent an objection to this Monthly Statement is timely made, the Debtor shall withhold payment of that portion of the Monthly Statement to which the objection is directed and promptly pay the remainder of the fees and disbursements in the percentages set forth above. To the extent such objection is not resolved; it shall be preserved and presented to the Court at the next interim or final fee application hearing.

Dated: January 31, 2024

BURNS BAIR LLP

/s/ Jesse J. Bair

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*Special Insurance Counsel to the Official
Committee of Unsecured Creditors of The Roman
Catholic Diocese of Rockville Centre, New York*

EXHIBIT A

Burns | Bair

10 E. Doty St., Suite 600
Madison, Wisconsin 53703-3392
608-286-2302
www.BurnsBair.com

**The Official Committee of Unsecured Creditors
of The Roman Catholic Diocese of Rockville
Centre**

Issue Date : 1/25/2024

Bill # : 01348

Matter: Insurance

PROFESSIONAL SERVICES RENDERED

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
12/1/2023	Timothy Burns	Participate in weekly state court counsel meeting for insurance purposes re test case and insurance demand letters (1.1); participate in call with individual state court counsel re same (.2); met with J. Bair re insurance demands (.2); review revised discovery order in LMI adversary proceeding (.1); review correspondence with the Debtor and PSZJ re CVA document issues (.1);	1.70	\$1,657.50
12/1/2023	Jesse Bair	Prepare for state court counsel meeting re test cases, insurance demand letters, and other case issues (.2); participate in state court counsel meeting for insurance purposes re same (1.1); participate in conference with T. Burns re insurance demand letters (.2);	1.50	\$937.50
12/1/2023	Jesse Bair	Participate in call with individual state court counsel and T. Burns re potential test cases (.2);	0.20	\$125.00
12/1/2023	Jesse Bair	Review and respond to correspondence with various state court counsel re potential test cases (.3);	0.30	\$187.50
12/2/2023	Jesse Bair	Review Order granting discovery extensions in the LMI district court action (.1);	0.10	\$62.50
12/3/2023	Jesse Bair	Review information re proposed PSIP settlement of non-abuse claim (.1);	0.10	\$62.50
12/4/2023	Timothy Burns	Legal research and analysis re third-party release issue (.8); preliminary review of Debtor's disclosure statement (.6); participate in portion of strategy meeting with PSZJ and J. Bair re disclosure statement objections (1.0); participate in calls with state court counsel re test cases (.7); conference with J. Bair re same (.1);	3.20	\$3,120.00

12/4/2023	Jesse Bair	Review and respond to correspondence with various state court counsel re potential test cases (.3);	0.30	\$187.50
12/4/2023	Jesse Bair	Brief review re the Debtor's disclosure statement (.2);	0.20	\$125.00
12/4/2023	Jesse Bair	Participate in conference with T. Burns re test case issues (.1);	0.10	\$62.50
12/4/2023	Jesse Bair	Participate in conference with state court counsel re test case and demand letter issues (.5);	0.50	\$312.50
12/4/2023	Jesse Bair	Participate in portion of team strategy meeting with PSZJ re objections to the Debtor's disclosure statement (2.3);	2.30	\$1,437.50
12/5/2023	Timothy Burns	Conference with J. Bair re test case issues and insurance demand letter status (.2);	0.20	\$195.00
12/5/2023	Jesse Bair	Review and edit Committee memorandum to the Debtor re issues with the Debtor's disclosure statement (.8); correspondence with PSZJ re same (.1);	0.90	\$562.50
12/5/2023	Jesse Bair	Participate in conference with T. Burns re insurance demand letter status and test case issues (.2);	0.20	\$125.00
12/5/2023	Jesse Bair	Continue analyzing potential test cases (.6); correspondence with state court counsel re same (.2);	0.80	\$500.00
12/6/2023	Jesse Bair	Review and respond to correspondence with various state court counsel re status and finalization of insurance demand letters (.4);	0.40	\$250.00
12/6/2023	Jesse Bair	Review final version of insurance demand letters sent by certain state court counsel (.2);	0.20	\$125.00
12/6/2023	Jesse Bair	Analysis re status and next-steps for insurance demand letter and test case initiatives (.4); draft email memorandum to PSZJ re same (.2);	0.60	\$375.00
12/7/2023	Jesse Bair	Review K. Dine correspondence with the Debtor re proposed test cases (.1);	0.10	\$62.50
12/7/2023	Jesse Bair	Review and consider Debtor's letter re stay issues re certain Ecclesia claims and d/b/a/ school (.1); review correspondence with B. Michael re same (.1);	0.20	\$125.00
12/7/2023	Timothy Burns	Review correspondence with J. Bair and PSZJ re test cases and insurance demand letters (.2); review correspondence with J. Bair and state court counsel re insurance demand letters (.2);	0.40	\$390.00
12/8/2023	Jesse Bair	Participate in portion of state court counsel meeting for insurance purposes re test cases, stay issues, and other case developments (1.2);	1.20	\$750.00
12/8/2023	Jesse Bair	Review the Debtor's opposition to the Committee's test case motion (.7);	0.70	\$437.50

12/8/2023	Timothy Burns	Participate in state court counsel meeting for insurance purposes re test cases, stay issues, and other case developments (1.3);	1.30	\$1,267.50
12/9/2023	Timothy Burns	Review LMI's Limited Opposition to the Committee's Test Case Motion (.2); review Debtor's Response to the Committee's Test Case Motion (.4); review Moore Declaration re same (.1);	0.70	\$682.50
12/9/2023	Jesse Bair	Review list of recently remanded state court actions in connection with potential test cases (.2);	0.20	\$125.00
12/9/2023	Jesse Bair	Review amended discovery schedule in the Evanston district court action (.1);	0.10	\$62.50
12/9/2023	Jesse Bair	Review monthly Diocesan PSIP information (.1);	0.10	\$62.50
12/10/2023	Jesse Bair	Review final versions of additional insurance demand letters sent to the Diocese and LMI/Interstate (.1);	0.10	\$62.50
12/10/2023	Jesse Bair	Review LMI's objection to the Committee's test case motion (.2);	0.20	\$125.00
12/11/2023	Timothy Burns	Review correspondence with BB and state court counsel re insurance demands (.1); review . Nasatir correspondence re LMI's objection to test case motion (.1); review correspondence with J. Bair and PSZJ re preliminary injunction re certain cases and response to Debtor's counsel (.1); review J. Bair's draft insert re response to LMI's objection re test case motion (.1);	0.40	\$390.00
12/11/2023	Jesse Bair	Correspondence with state court counsel re LMI/Interstate demand letters (.2);	0.20	\$125.00
12/11/2023	Jesse Bair	Draft response to LMI's test case motion objection for insertion in the Committee's test case reply brief (.8);	0.80	\$500.00
12/11/2023	Jesse Bair	Additional analysis re LMI/Interstate exposures and applicable coverage limits (.2); additional correspondence with state court counsel re same and demand letters (.2);	0.40	\$250.00
12/12/2023	Jesse Bair	Analyze and respond to I. Nasatir correspondence re potential response to LMI's test case objection (.2);	0.20	\$125.00
12/12/2023	Jesse Bair	Participate in Committee meeting for insurance purposes re case status, upcoming hearings, and overall case strategy (1.3); participate in call with T. Burns re Committee meeting outcome (.1);	1.40	\$875.00
12/12/2023	Timothy Burns	Review correspondence with J. Bair and PSZJ re response to LMI Objection re Test Case Motion (.1); participate in call with J. Bair re Committee meeting outcome (.1);	0.20	\$195.00

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12/13/2023	Timothy Burns	Review article re Arrowood insolvency (.1); review correspondence with Debtor and PSZJ re test case motion (.1); prepare for meeting with state court counsel re case strategy (.2); met with J. Bair re same (.1); met with state court counsel re same (.2);	0.70	\$682.50	
12/13/2023	Jesse Bair	Review the Diocese's response to the Committee re potential test cases (.1);	0.10	\$62.50	
12/13/2023	Jesse Bair	Correspondence with state court counsel re potential test cases (.1);	0.10	\$62.50	
12/13/2023	Jesse Bair	Correspondence with state court counsel re insurance demand letters (.1);	0.10	\$62.50	
12/13/2023	Jesse Bair	Review article re Arrowood liquidation issues (.1);	0.10	\$62.50	
12/13/2023	Jesse Bair	Participate in conference with T. Burns re next-steps re case insurance strategy (.1);	0.10	\$62.50	
12/14/2023	Jesse Bair	Review and edit the Committee's test case reply brief, including incorporation of T. Burns' edits to same (1.0); correspondence with PSZJ re same (.1);	1.10	\$687.50	
12/14/2023	Jesse Bair	Correspondence with state court counsel re insurance demand letter questions (.1);	0.10	\$62.50	
12/14/2023	Jesse Bair	Review correspondence with the Debtor and Arrowood re status update letter to Judge Rochon (.1);	0.10	\$62.50	
12/14/2023	Jesse Bair	Analysis re potential additional test case (.1); correspondence with state court counsel re potential test cases (.1);	0.20	\$125.00	
12/14/2023	Timothy Burns	Review and revise the Committee's test case reply brief (.5); review and respond to correspondence from state court counsel re potential test case (.1);	0.60	\$585.00	
12/15/2023	Karen Dempski	Finalize and file letter to court for T. Burns re insurance demand letter status (.2);	0.20	\$72.00	
12/15/2023	Timothy Burns	Participate in weekly state court counsel meeting for insurance purposes re test case issues (.9); conference with J. Bair re outcome of meeting and insurance next-steps (.2);	1.10	\$1,072.50	
12/15/2023	Jesse Bair	Prepare for state court counsel meeting (.2); participate in state court counsel meeting for insurance purposes re case strategy and upcoming test case hearing (.9); participate in call with T. Burns re outcome of meeting and insurance next-steps (.2);	1.30	\$812.50	
12/15/2023	Jesse Bair	Draft letter to the Court re insurance demand letter update (.3); correspondence with PSZJ re same (.1);	0.40	\$250.00	
12/15/2023	Jesse Bair	Begin preparing for insurance aspects of upcoming test case hearing (.1);	0.10	\$62.50	
12/16/2023	Jesse Bair	Review agenda for December 19 hearing (.1);	0.10	\$62.50	

12/16/2023	Jesse Bair	Review final versions of additional insurance demand letters (.1); additional analysis re all demand letters made on the insurers to date (.1); correspondence with state court counsel re same (.1); draft summary for J. Stang re same (.2); additional correspondence with J. Stang re same (.1);	0.60	\$375.00
12/16/2023	Timothy Burns	Review December 19 hearing agenda (.1);	0.10	\$97.50
12/17/2023	Jesse Bair	Review additional correspondence from the Debtor re potential test cases (.1);	0.10	\$62.50
12/17/2023	Jesse Bair	Correspondence with BB team re test case motion hearing prep materials (.1);	0.10	\$62.50
12/18/2023	Jesse Bair	Review recent ADNY coverage decision dismissing Chubb's coverage complaint for impact on DRVC case (.3);	0.30	\$187.50
12/18/2023	Jesse Bair	Prepare for insurance aspects of upcoming hearing re the Committee's test case motion, including review of New York bad faith case law in connection with same (.6); conference with T. Burns re preparations for upcoming test case hearing (.2);	0.80	\$500.00
12/18/2023	Jesse Bair	Review draft order approving the professionals' interim fee applications (.1);	0.10	\$62.50
12/18/2023	Jesse Bair	Review and respond to correspondence with state court counsel re upcoming test case motion hearing (.2);	0.20	\$125.00
12/18/2023	Jesse Bair	Analyze and draft summary of key fact and insurance characteristics of proposed test cases for J. Stang in connection with upcoming hearing (1.0); correspondence with PSZJ re same (.1);	1.10	\$687.50
12/18/2023	Alyssa Turgeon	Assist with identifying and preparing key insurance materials for test case hearing preparations (.5);	0.50	\$180.00
12/18/2023	Timothy Burns	Participate in conference with J. Bair re preparations for upcoming test case hearing (.2);	0.20	\$195.00
12/18/2023	Brian Cawley	Identify key insurance materials for test case hearing preparations (.6);	0.60	\$252.00
12/19/2023	Timothy Burns	Participate in conference with J. Bair re outcome of test case hearing and case next-steps (.2); participate in additional call with J. Bair re outcome of state court counsel meeting re same (.2);	0.40	\$390.00
12/19/2023	Timothy Burns	Review memo re proposed test cases (.1);	0.10	\$97.50
12/19/2023	Jesse Bair	Continue preparing for insurance aspects of upcoming test case hearing (1.3);	1.30	\$812.50
12/19/2023	Jesse Bair	Prepare for hearing on professionals' interim fee applications (.4);	0.40	\$250.00
12/19/2023	Jesse Bair	Participate in test case hearing for insurance purposes (2.4);	2.40	\$1,500.00

12/19/2023	Jesse Bair	Participate in conference with PSZJ team re outcome of test case hearing and next-steps (.3);	0.30	\$187.50
12/19/2023	Jesse Bair	Participate in conference with T. Burns re outcome of test case hearing and case next-steps (.2);	0.20	\$125.00
12/19/2023	Jesse Bair	Participate in state court counsel meeting for insurance purposes re test case hearing outcome, next-steps, and overall case strategy (.7); participate in conference with T. Burns re outcome of state court counsel meeting (.2);	0.90	\$562.50
12/19/2023	Jesse Bair	Review B. Michael correspondence re case developments and upcoming Committee meeting (.1);	0.10	\$62.50
12/20/2023	Jesse Bair	Participate in conference with T. Burns re test case hearing outcome and going-forward insurance strategy (.2); participate in portion of call with T. Burns and J. Stang re same (.2);	0.40	\$250.00
12/20/2023	Timothy Burns	Participate in conference with J. Bair re test case hearing outcome and going-forward insurance strategy (.2); participate in call with J. Bair and J. Stang re same (.3);	0.50	\$487.50
12/21/2023	Brenda Horn-Edwards	Draft BB monthly fee statement (.4); generate and edit Exhibit A to same (.1); correspond with J. Bair re same (.1);	0.60	\$216.00
12/21/2023	Jesse Bair	Review draft status update letter to the Court in the Arrowood action (.1); consideration of the Receiver's request to resume the Arrowood coverage action (.1); conference with T. Burns re same and the Committee's position re the resumption of the Arrowood coverage action (.1); review and respond to correspondence with PSZJ re same (.2); review the Diocese's proposed insert to the letter (.1); draft the Committee's position for the letter (.1); review additional revisions received from Arrowood (.1); review additional correspondence with Arrowood and the Diocese re same (.1);	0.90	\$562.50
12/21/2023	Jesse Bair	Participate in Committee meeting for insurance purposes re outcome of test case hearing and next-steps re case strategy (1.2);	1.20	\$750.00
12/21/2023	Jesse Bair	Participate in call with T. Burns re outcome of Committee meeting and updates re potential settlement developments (.2);	0.20	\$125.00
12/21/2023	Jesse Bair	Analysis re insurance aspects of potential alternative Plan and settlement options (.4);	0.40	\$250.00

12/21/2023	Timothy Burns	Participate in calls with state court counsel re insurance implications of potential resolution with Diocese (1.5); conference with J. Bair re the Committee's position re the resumption of the Arrowood coverage action (.1); participate in additional conference with J. Bair re outcome of Committee meeting and updates re potential settlement developments (.2);	1.80	\$1,755.00
12/22/2023	Jesse Bair	Correspondence with K. Dine re February omnibus hearing (.1);	0.10	\$62.50
12/22/2023	Jesse Bair	Review recent remand order of certain state court actions for potential impact on Arrowood stay (.1); review case law in connection with same (.1); review and respond to correspondence with PSZJ re same (.2);	0.40	\$250.00
12/23/2023	Timothy Burns	Brief review of Diocese's proposed TDP (.2);	0.20	\$195.00
12/26/2023	Jesse Bair	Review the Court's memo endorsement re Arrowood meet and confer in connection with adversary status letter (.1);	0.10	\$62.50
12/27/2023	Jesse Bair	Review debtor correspondence re Arrowood meet and confer (.1);	0.10	\$62.50
12/27/2023	Jesse Bair	Correspondence with J. Stang and K. Dine re continued stay of certain Ecclesia actions (.1);	0.10	\$62.50
12/28/2023	Jesse Bair	Review K. Dine correspondence re the Committee's disclosure statement objection and new test case motion (.1); review I. Nasatir correspondence re insurance issues re the Debtor's disclosure statement (.1);	0.20	\$125.00
12/29/2023	Jesse Bair	Review notice of omnibus hearing (.1);	0.10	\$62.50
12/29/2023	Timothy Burns	Participate in weekly state court counsel meeting for insurance purposes (1.6); participate in post-meeting call with PSZJ re test case letter (.5); participate in call with state court counsel re same (.2) follow-up email to PSZJ re same (.1); review test case letter (.1);	2.50	\$2,437.50
12/31/2023	Jesse Bair	Review stipulation re continued stay of certain Ecclesia state court actions (.1);	0.10	\$62.50
Total Hours and Fees			49.90	\$36,425.00

EXPENSES

<u>Date</u>	<u>Description</u>	<u>Amount</u>
12/18/2023	Hotel, J. Bair (1 night)	\$500.94
12/18/2023	Travel meal, J. Bair	\$23.81
12/18/2023	Taxi, J. Bair (airport to hotel)	\$106.84
12/18/2023	Delta Airlines, J. Bair (MSN-LGA Dec. 17-18)	\$1,127.80
12/19/2023	Travel meal, J. Bair	\$20.63
12/19/2023	Travel meal, J. Bair	\$14.51
12/19/2023	Airport parking, J. Bair	\$20.00

12/19/2023	Delta Airlines WiFi Onboard, J. Bair	\$15.95
12/19/2023	Uber, J. Bair (hotel to airport)	\$166.93
Total Expenses		\$1,997.41

Timekeeper Summary

<u>Name</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Alyssa Turgeon	Paralegal	0.50	\$360.00	\$180.00
Brenda Horn-Edwards	Paralegal	0.60	\$360.00	\$216.00
Brian Cawley	Associate	0.60	\$420.00	\$252.00
Jesse Bair	Partner	31.70	\$625.00	\$19,812.50
Karen Dempski	Paralegal	0.20	\$360.00	\$72.00
Timothy Burns	Partner	16.30	\$975.00	\$15,892.50

Total Due This Invoice: \$38,422.41